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Dec. 8, 2003
Date

by Kay Buler
Signature

Kay Buler
Printed Name

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter H. Kay
Serial No.: 10/617,060
Filed: July 8, 2003
For: USE OF FLUORESCENT MOLECULAR BEACONS IN THE
DETECTION OF METHYLATED NUCLEIC ACIDS
Art Unit: 1645
Examiner:
Docket No.: 44675-52
Date: December 4, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the requirements in 37 C.F.R. § 1.56, and in conformance with 37 C.F.R. 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement. Applicant respectfully requests that the Examiner: (1) consider the following documents during the course of his or her examination of the above-identified patent application, and (2) list the following documents in the References Cited section of any patent that may issue from the above-identified patent application. The references came to our attention through an International Search Report, a copy of which is attached.

The following documents are provided:

U.S. Patents

None

Foreign Patent Documents

WO 9826093

Other

Tyagi et al., Molecular Beacons: Probes that Fluoresce upon Hybridization, *Nature Biotechnology* 14(3):303-308, 1996

Millar et al., Detailed methylation analysis of the glutathione S-transferase π (GSTPI) gene in prostate cancer, *Oncogene* 18:1313-1324, 1999

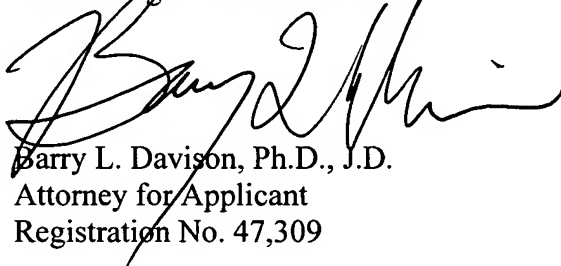
Agrawal et al., Site specific functionalization of oligonucleotides for attaching two different reporter groups, *Nucl. Acids Res.* 18:5419-5423, 1990

Ozaki et al., The estimation of distances between specific backbone-labeled sites in DNA using fluorescence resonance energy transfer, *Nucl. Acids Res.* 20:5205-5214, 1992

Applicant respectfully requests consideration of the foregoing documents during examination of the above-identified patent application. Copies of each cited document are enclosed along with a completed Information Disclosure Statement by Applicant.

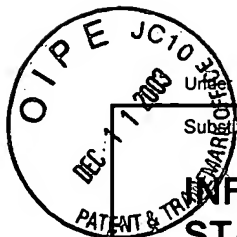
Respectfully submitted,

Davis Wright Tremaine LLP



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Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/617,060
				Filing Date	July 8, 2003
				First Named Inventor	Peter H. Kay
				Art Unit	1645
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	47675-52

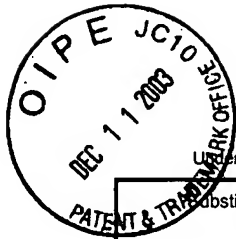
U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO 9826093	06-18-1998	U.S. Government		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformation with MPEP 609. Draw line through citation if not in conformation and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04 ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450..



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		Application Number	10/617,060		
		Filing Date	July 8, 2003		
		First Named Inventor	Peter H. Kay		
		Art Unit	1645		
		Examiner Name			
Sheet	2	of	2	Attorney Docket Number	47675-52

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	O1	Tyagi et al., Molecular Beacons: Probes that Fluoresce upon Hybridization, Nature Biotechnology 14(3) 303-308, 1996	
	O2	Millar et al., Detailed methylation analysis of the glutathione S-transferase π (GSTPI) gene in prostate cancer, Oncogene 18:1313-1324, 1999	
	O3	Agrawal et al., Site specific functionalization of oligonucleotides for attaching two different reporter groups, Nucl. Acids Res. 18:5419-5423, 1990	
	O4	Ozaki et al., The estimation of distances between specific backbone-labeled sites in DNA using fluorescence resonance energy transfer, Nucl. Acids Res. 20:5205-5214, 1992	
	O5		

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.
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complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**